



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Van Gelder, et al  
Serial No.: 09/713,545  
Filed: November 15, 2000  
For: *Multi-Gene Expression Profile*

Art Unit: 1636

Examiner: Gerald G. Leffers Jr., Ph.D.

**INFORMATION DISCLOSURE STATEMENT**  
**PURSUANT TO 37 C.F.R. § 1.97**

**MAIL STOP AMENDMENT**

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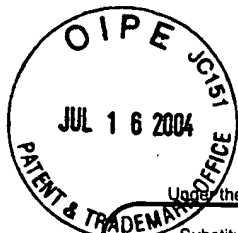
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July 16, 2004

Respectfully submitted,  
**QUARLES & BRADY STREICH LANG, LLP**

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Attorney Docket No. 112133.00003  
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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 1 of 16

### Complete if Known

Application Number	09/713,545
Filing Date	November 15, 2000
First Named Inventor	Van Gelder, et al
Art Unit	1636
Examiner Name	Gerald G. Leffers Jr., Ph.D.
Attorney Docket Number	112133.00003

### U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	1	US- 3,007,780	02/19/63	Takatsy	
	2	US- 3,252,331	05/24/66	Lancaster	
	3	US- 4,357,421	11/02/82	Emtage et al	
	4	US- 4,503,151	03/05/85	Paddock	
	5	US- 4,661,450	04/28/87	Kempe et al	
	6	US- 4,683,195	07/28/87	Mullis et al	
	7	US- 4,683,202	07/28/87	Mullis	
	8	US- 4,738,669	4/19/88	Vlock	
	9	US- 4,959,313	9/25/90	Taketo	
	10	US- 4,965,188	10/23/90	Mullis et al	
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	13	US- 5,057,410	10/15/91	Kawasaki et al	
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### FOREIGN PATENT DOCUMENTS

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		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	1	WO 88/01302	02/25/88	Gingeras et al		
	2	WO 88/10315	12/29/88	Gingeras et al		
	3	WO 89/01050	02/09/89	Burg et al		
	4	WO 90/06995	06/28/90	Gingeras et al		
	5	EP 0052002	5/19/82	Tacon et al		
	6	EP 0062971	10/20/82	Atherton et al		

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		First Named Inventor	Van Gelder, et al		
		Art Unit	1636		
		Examiner Name	Gerald G. Leffers Jr., Ph.D.		
Sheet	4	of	16	Attorney Docket Number	112133.00003

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	1	Butler, E.T. et al. "Bacteriophage SP6-specific RNA Polymerase," (1982) J. of Biol. Chem. 257(10): 5772-5778.	
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	3	Chu, B.C.F. et al. "Synthesis of an Amplifiable Reporter RNA for Bioassays," (1986) Nucleic Acids Res. 14(14): 5591-5603.	
	4	COUTLEE, F. et al. "Immunodetection of DNA with Biotinylated RNA Probes: A Study of Reactivity of a Monoclonal Antibody to DNA-RNA Hybrids," (1989) Analytical Biochem. 181: 96-105	
	5	COVA, L. et al. "Use of cRNA Probes for the Detection of Enteroviruses by Molecular Hybridization," (1988) J. of Med. Virology 24: 11-18.	
	6	DALESSIO, J.M. et al. "Second-Strand cDNA Synthesis with EColi DNA Polymerase I and RNase H: The Fate of Information at the mRNA 5' Terminus and the Effect of E.Coli DNA Ligase," (1988) Nucleic Acids Res. 16(5): 1999-2014.	
	7	DEAN, R.R. et al. "Narcolepsy Without Unique MHC Class II Antigen Association: Studies in the Canine Model," (1989) Human Immunology 25: 27-35.	
	8	DEINIGER, P.L. "Full-Length cDNA Clones: Vector-Primed cDNA Synthesis," (1987) In Methods in Enzymology Volume 152 Guide to Molecular Cloning, Berger, S.L. et al. eds. Academic Press, Inc. San Diego, pp 371-389.	
	9	DENNY, P. et al. "Oligo-Riboprobes," (1988) Histochemistry 89: 481-483.	
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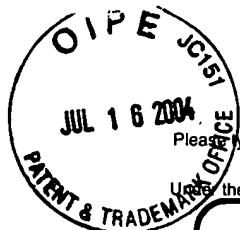
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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 5 of 16

### Complete if Known

Application Number	09/713,545
Filing Date	November 15, 2000
First Named Inventor	Van Gelder, et al
Group Art Unit	1636
Examiner Name	Gerald G. Leffers Jr., Ph.D.
Attorney Docket Number	112133.00003

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	21	DOHERTY, P.J. et al. "Rapid Amplification of Complementary DNA from Small Amounts of Unfractionated RNA," (1989) Analytical Biochemistry 177: 7-10.	

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	22	DUNN, T.J. et al. "Phenobarbital-Inducible Aldehyde Dehydrogenase in the Rat," (1989) J. of Biol. Chem. 264(22): 13057-13065.	
	23	EBERWINE, J.H. et al. "Glucocorticoid Regulation of Pro-Opiomelanocortin Gene Transcription in the Rat Pituitary," (1984) J. of Biol. Chem. 269(4): 2166-2170.	
	24	EBERWINE, J.H. et al. "Isolation of Enzyme cDNA Clones by Enzyme Immunodetection Assay: Isolation of a Peptide Acetyltransferase," (1987) Proc. Natl. Acad. Sci. USA 84: 1449-1453.	
	25	ENDO, F. et al. "Primary Structure and Gene Localization of Human Prolidase," (1989) J. of Biol. Chem. 264(8): 4476-4481.	
	26	FEINBERG, A.P. et al. "A Technique for Radiolabeling DNA Restriction Endonuclease Fragments to High Specific Activity," (1983) Analytical Biochem. 132: 6-13.	
	27	FOSTER, J.L. et al. "Cloning, Sequence, and Expression of the Drosophila cAMP-Dependent Protein Kinase Catalytic Subunit Gene," (1988) J. of Biol. Chem. 263(4): 1676-1681.	
	28	FOUTZ, A.S. et al. "Genetic Factors in Canine Narcolepsy," (1979) Sleep. 1(4): 413-422.	
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	30	FRECH, G.C. et al. "Construction of Directional cDNA Libraries Enriched for Full-Length Inserts in a Transcription-Computer Vector," (1989) (PubMed Abstract) Gene Anal. Tech. 6(2): 33-38.	
	31	FROHMAN, M.A. et al. "Rapid Production of Full-Length cDNAs from Rare Transcripts: Amplification Using a Single Gene-Specific Oligonucleotide Primer," (1988) Proc. Natl. Acad. Sci. USA 85: 8998-9002.	
	32	FULLER, C.W. et al. "Initiation of DNA Replication at the Primary Origin of Bacteriophage T7 by Purified Proteins," (1985) J. of Biol. Chem. 260(5): 3185-3196.	

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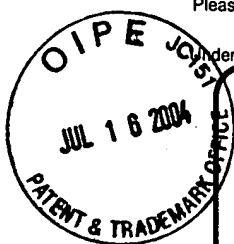
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Sheet	7	of	16

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
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	33	GAUBATZ, J. et al. "Strategies for Constructing Complementary DNA for Cloning," (1982) J. Theor. Biol. 95: 679-696.	
	34	GAUBATZ, J. et al. (1985). "Displacement Synthesis of Globin Complementary DNA: Evidence for Sequence Amplification," (1985) Biochimica et Biophysica Acta 825: 175-187.	
	35	GINGERAS, T.R. et al. "Nucleotide Sequences from the Adenovirus-2 Genome," (1982) J. of Biol. Chem. 267(22): 13475-13491.	
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	37	GOODMAN, T.C. et al. "Effects of Neighboring DNA Homopolymers on the Biochemical and Physical Properties of the Escherichia coli Lactose Promoter," (1982) J. of Biol. Chem. 257(21): 12970-12978.	
	38	GOPALAKRISHNA, Y. et al. "The Synthesis of DNA Complementary to Polyadenylate-Containing RNA from Bacillus Subtilis," (1982) J. of Biol. Chem. 257(6): 2747-2750.	
	39	GOULD, S.J. et al. (1989). "Use of the DNA Polymerase Chain Reaction for Homology Probing: Isolation of Partial cDNA or Genomic Clones Encoding the Iron-Sulfur Protein of Succinate Dehydrogenase from Several Species," (1989) Proc. Natl. Acad. Sci. USA 86: 1934-1938.	
	40	GRUOL, D.L. et al. "Multiple Voltage-Sensitive K <sup>+</sup> Channels Regulate Dendritic Excitability in Cerebellar Purkinje Neurons," (1989) (PubMed Abstract) Neurosci. Lett. 97(1-2): 97-102.	
	41	GUATELLI, J.C. et al. "Nucleic Acid Amplification In Vitro: Detection of Sequences with Low Copy Numbers and Application to Diagnosis of Human Immunodeficiency Virus Type 1 Infection," (1989) Clin. Microbiol. Revs. 2(2): 217-226.	
	42	GUBLER, U. et al. (1983). "A Simple and Very Efficient Method for Generating cDNA Libraries," (1983) Gene 25: 263-269.	
	43	GUBLER, U. et al. "Second-Strand cDNA Synthesis: Classical Method," (1987) In Methods in Enzymology Volume 152 Guide to Molecular Cloning, Berger, S.L. et al. eds., Academic Press, Inc., San Diego. pp. 325-335.	

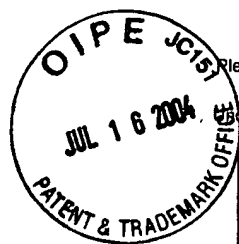
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	44	HAAS, R.C. et al. "Isolation and Characterization of the Gene and cDNA Encoding Human Mitochondrial Creatine Kinase," (1989) J. of Biol. Chem. 264(5): 2890-2897.	
	45	HAGEN, F.S. et al. "Assaying the Quality of cDNA Libraries," (1988) BioTechniques. 6(4): 340-345.	
	46	HEIDECKER, G. et al. "Sequence Analysis of zein cDNAs Obtained by an Efficient mRNA Cloning Method," (1983) Nucleic Acids Res. 11(14): 4891-4906.	
	47	HINTON, D.M. et al. "Bacteriophage T4 DNA Primase-Helicase," (1987) J. of Biol. Chem. 262(22): 10873-10878.	
	48	HOHN, P.A. et al. "Genomic Organization and Chromosomal Localization of the Human Cathepsin G Gene," (1989) J. of Biol. Chem. 264(23): 13412-13419.	
	49	HOLLOMAN, J.D. et al. "HLA-DR Restriction-Fragment-Length Polymorphisms in Narcolepsy," (1987) J. of Neurosci. Res. 18:239-244.	
	50	HORWITZ, M.S.Z. et al. "DNA Sequences of Random Origin as Probes of Escherichia coli Promoter Architecture,"(1988) J. of Biol. Chem. 263(29): 14724-14731.	
	51	HUANG, B. et al. "Molecular Cloning of cDNA for Caltractin, a Basal Body-Associated Ca <sup>2+</sup> -Binding Protein: Homology in Its Protein Sequence with Calmodulin and the Yeast CDC31 Gene Product," (1988) J. of Cell Biol. 107: 133-140.	
	52	HUBER, H.E. et al. "Interaction of Mutant Thioredoxins of Escherichia coli with the Gene 5 Protein of Phage T7," (1986) J. of Biol. Chem. 261(32): 15006-15012.	
	53	HUBER, H.E. et al. "Escherichia coli Thioredoxin Stabilizes Complexes of Bacteriophage T7 DNA Polymerase and Primed Templates," (1987) J. of Biol. Chem. 262(33): 16224-16232.	
	54	HUBER, H.E. et al. "Human Immunodeficiency Virus 1 Reverse Transcriptase," (1989) J. of Biol. Chem. 264(8): 4669-4678.	

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		Application Number	09/713,545		
		Filing Date	November 15, 2000		
		First Named Inventor	Van Gelder et al		
		Group Art Unit	1636		
		Examiner Name	Gerald G. Leffers Jr., Ph.D.		
Sheet	9	of	16	Attorney Docket Number	112133.00003

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	55	JOELS, M. et al. "Unique Properties of Non-N-Methyl-D-Aspartate Excitatory Responses in Cultured Purkinje Neurons," (1989) (PubMed Abstract) Proc. Natl. Acad. Sci. USA 86(9): 3404-3408.	
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	58	KARPEL, R. et al.. "Sequencing of the Gene ant Which Affects the Na <sup>+</sup> /H <sup>+</sup> Antiporter Activity in Escherichia coli," (1988) J. of Biol. Chem. 263(21): 10408-10414.	
	59	KASSAVETIS, G.A. et al. "Bacteriophage SP6-Specific RNA Polymerase," (1982) J. of Biol. Chem. 257(10): 5779-5788.	
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	65	KRUPP, G. et al. "Simplified In Vitro Synthesis of Mutated RNA Molecules," (1987) Federation of European Biochemical Societies 212(2): 271-275.	

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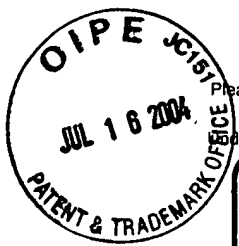
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	66	KWOH, D.Y. et al. "Transcription-Based Amplification System and Detection of Amplified Human Immunodeficiency Virus Type 1 with a Bead-Based Sandwich Hybridization Format," (1989) Proc. Natl. Acad. Sci. USA 86: 1173-1177.	
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	76	LU, X. et al. "Construction and Quality of cDNA Libraries Prepared from Cytoplasmic RNA Not Enriched in Poly(A)+RNA," (1988) Gene 71: 157-164.	

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	77	LU, X. et al. "Cell Cycle Phase-Specific cDNA Libraries Reflecting Phase-Specific Gene Expression of Ehrlich Ascites Cells Growing in Vivo," (1988) Experimental Cell Res. 174: 199-214.	
	78	MAYR, V. A. "TC-Marker des Attenuierten Vaccinia-Impfstammes "MVA" in Menschlichen Zellkulturen," (1976) Zbl. Vet. Med. B. 23: 417-430.	
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Sheet	12	of	16	Attorney Docket Number	112133.00003

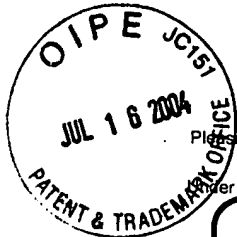
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	88	NAKAI, H. et al. "Interactions of the DNA Polymerase and Gene 4 Protein of Bacteriophage T7," (1986) J. of Biol. Chem. 261(32): 15208-15216.	
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	98	POLITES, H.G. "An Improvement and Simplification in the Gubler-Hoffman Method of cDNA Synthesis," (1988) BioTechniques 6(8): 720-724.	

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	99	PORTELA, A. et al. "A Polymer Vector System That Allows Temperature Dependent Gene Amplification and Expression in Mammalian Cells: Regulation of the Influenza Virus NS1 Gene Expression," (1985) Nucleic Acids Res. 13(22): 7959-7977.	
	A	PRUITT, S.C. "Expression Vectors Permitting cDNA Cloning and Enrichment for Specific Sequences by Hybridization/Selection," (1988) Gene 66: 121-134.	
	B	PUTNEY, S.D. et al. "A New Troponin T and cDNA Clones for 13 Different Muscle Proteins, Found by Shotgun Sequencing," (1983) Nature 302: 718-721.	
	C	RABKIN, S.D. et al. "Initiation of cDNA Replication at Cloned Origins of Bacteriophage T7," (1988) J. Mol. Biol. 204: 903-916.	
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	E	SANGER, F. et al. "DNA Sequencing with Chain-Terminating Inhibitors," (1977) Proc. Natl. Acad. Sci. USA 74(12): 5463-5467.	
	F	SARGENT, T.D. "Isolation of Differentially Expressed Genes," (1987) In Methods in Enzymology Volume 152 Guide to Molecular Cloning, Berger, S.L. et al. eds., Academic Press, Inc., San Diego. pp. 423-432.	
	G	SARKAR, G. et al. "RNA Amplification with Transcript Sequencing (RAWTS) ," (1988) Nucleic Acids Res, 16(11): 5197.	
	H	SARKAR, G. et al. "Access to Messenger RNA Sequence or Its Protein Products Is Not Limited by Tissue or Species Specifically," (1989) Science 244: 331-334.	
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	J	SCHOWALTER, D.B. et al. "The Generation of Radiolabeled DNA and RNA Probes with Polymerase Chain Reaction," (1989) Analytical Biochem. 177: 90-94.	

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Sheet 14 of 16

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	L	STRUHL, K. "Naturally Occurring Poly(dA-dT) Sequences are Upstream Promoter Elements for Constitutive Transcription in Yeast," (1985) Proc. Natl. Acad. Sci. USA 82: 8419-8423.	
	M	STUDIER, F.W. et al. "Use of Bacteriophage T7 RNA Polymerase to Direct Selective High-Level Expression of Cloned Genes," (1986) J. Mol. Biol. 189: 113-130.	
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	Q	TABOR, S. et al. "Escherichia coli Thioredoxin Confers Processivity on the DNA Polymerase Activity of the Gene 5 Protein Bacteriophage T7," (1987) J. of Biol. Chem. 262(33): 16212-16223.	
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	S	TECOTT, L.H. et al. "In Situ Transcription: Specific Synthesis of Complementary DNA in Fixed Tissue Sections," (1988) Science 240: 1661-1664.	
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	U	THOMPSON, J.D. et al. "Enzymatic Amplification of RNA Purified from Crude Cell Lysate by Reversible Target Capture," (1989) Clin. Chem. 35(9): 1878-1881.	

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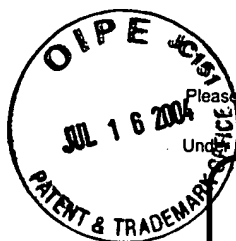
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Sheet 15 of 16

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	V	VALENTINO, K.L. et al. "Distribution of Neuropeptide K-Immunoreactivity in the Rat Central Nervous System," (1986) Peptides 7: 1043-1059.	
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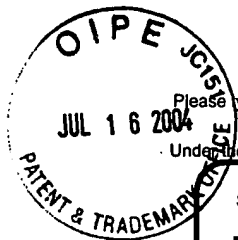
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Sheet 16 of 16

### Complete if Known

Application Number	09/713,545
Filing Date	November 15, 2000
First Named Inventor	Van Gelder et al
Group Art Unit	1636
Examiner Name	Gerald G. Leffers Jr., Ph.D.
Attorney Docket Number	112133.00003

### OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	A7	TEXTBOOK: , ALBRETS, B. et al. eds. Molecular Biology of the Cell, Second Edition, (1989) Garland Publishing, Inc., New York.	
	A8	TEXTBOOK: BERGER, S.L. et al. eds. Methods in Enzymology Volume 152 Guide to Molecular Cloning, (1987) Academic Press, Inc., San Diego.	
	A9	TEXTBOOK: OLD, R.W. et al. eds. Principles of Gene Manipulation An Introduction to Genetic Engineering, Fourth Edition, (1989) Blackwell Scientific Publications, Oxford.	
	B1	TEXTBOOK: SAMBROOK, et al. eds. Molecular Cloning A Laboratory Manual, Second Edition, (1989) Cold Spring Harbor Laboratory Press, USA.	
	B2	TEXTBOOK: WATSON, J.D. et al. eds. Molecular Biology of the Gene, Fourth Edition, Vol. I General Principles, (1987) The Benjamin/Cummings Publishing Company, Inc. Menlo Park.	
	B3	TEXTBOOK: WATSON, J.D. et al. eds. Molecular Biology of the Gene, Fourth Edition, Vol. II Specialized Aspects, (1987) The Benjamin/Cummings Publishing Company, Inc., Menlo Park.	
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